

TOWN OF WELLESLEY



**WARRANT
for the
ANNUAL TOWN MEETING**

ELECTION – March 6, 2007
BUSINESS MEETING – March 26, 2007

PLANNING BOARD PUBLIC HEARING (WARRANT ARTICLES)
February 6, 2007, 7:30 P.M. at Town Hall

ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)
February 7, 2007, 7:00 P.M. at Town Hall

Commonwealth of Massachusetts

Norfolk, ss.

To Terrence M. Cunningham, Chief of Police of the Town of Wellesley, in said County.

GREETINGS:

In the name of the Commonwealth aforesaid, you are hereby required to notify the qualified voters of said Town of Wellesley to meet in their respective voting places on March 6, 2007:

The voters of Precinct A, in Katherine Lee Bates School, 116 Elmwood Road;

The voters of Precinct B, in Isaac Sprague School, 401 School Street;

The voters of Precinct C, in Ernest F. Upham School, 35 Wynnewood Street;

The voters of Precinct D, in Otho L. Schofield School, 27 Cedar Street;

The voters of Precinct E, in Joseph E. Fiske School, 45 Hastings Street;

The voters of Precinct F, in Wellesley Senior High School, 50 Rice Street;

The voters of Precinct G, in Hunnewell School, 28 Cameron Street;

at 7:00 A.M., at which time the polls in said precincts will be opened and remain open continuously until 8:00 P.M. of said day when they will be closed, during which time aforesaid qualified voters of said Town may bring in their ballots to the Election Officers, duly appointed and sworn for said precincts of said Town of Wellesley, in said meetings so assembled for the following:

To cast their votes in the Town Election for the election of candidates for the following offices:

<u>OFFICE</u>	<u>VACANCIES</u>	<u>TERM</u>
Moderator	One	One Year
Board of Selectmen	One	Three Years
Board of Public Works	One	Three Years
Board of Assessors	One	Three Years
Board of Health	One	Three Years
Trustees of Wellesley Free Library	Two	Three Years
Natural Resources Commission	One	Three Years
Planning Board	One One One	Five Years Three Years One Year
School Committee	One One	Three Years One Year
Recreation Commission	Two	Three Years

and for **TOWN MEETING MEMBERS**, under the provision of Chapter 202 of the Acts of 1932, as amended.

You are further required to notify the qualified Town Meeting Members of said Town of Wellesley to meet in the

WELLESLEY SENIOR HIGH SCHOOL AUDITORIUM
Monday, March 26, 2007

at 7:30 P.M. at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with Chapter 202 of the Acts of 1932, as amended and subject to referendum provided thereby.

ARTICLE 1. To choose a Moderator to preside over said meeting.

(Board of Selectmen)

ARTICLE 2. To receive reports of town officers and committees, including the Annual Town Report, the Report to this Town Meeting of the Advisory Committee, and the Reports of the Board of Selectmen on the Five Year Capital Budget Program and the Town-Wide Financial Plan pursuant to Town Bylaw Sections 19.5.2 and 19.16 respectively; and discharge presently authorized special committees; or take any other action relative thereto.

(Board of Selectmen)

REVENUE ARTICLES

ARTICLE 3. To see what action the Town will take relative to revenue as follows:

- a) Establish new and/or amend current fees or other charges for services and programs provided to the public;
- b) Vote to authorize the Board of Assessors to use any monies paid to the Town from the Wellesley Municipal Light Plant as an estimated receipt when computing the Fiscal Year 2008 Tax Rate;

or take any other action relative thereto.

(Board of Selectmen)

APPROPRIATIONS – OPERATING AND OUTLAY

ARTICLE 4. To see if the Town will vote to amend ARTICLE 31 of the Town Bylaws by making changes in Schedule A entitled “Job Classifications by Groups” which constitutes part of said Bylaws; or take any other action relative thereto.

(Human Resources Board)

ARTICLE 5. To see if the Town will vote to amend ARTICLE 31 of the Town Bylaws by making changes in Schedule B entitled “Salary Plan – Pay Schedule”

established under Section 31.6, which constitutes part of said Bylaws; to raise and appropriate, or otherwise provide, money therefor; or take any other action relative thereto.

(Human Resources Board)

ARTICLE 6. To see if the Town will vote to amend ARTICLE 31 of the Town Bylaws by making changes in the appendix to the Classification and Salary Plans established under Sections 31.1 and 31.6 respectively, which constitutes part of said Bylaws; or take any other action relative thereto.

(Human Resources Board)

ARTICLE 7. To see what sums of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, or borrowing, to supplement appropriations previously approved at the Annual Town Meeting of March 27, 2006; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 8. To see what sums of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, or borrowing, for the following:

(a) for the operation of the several Town departments, including capital outlay, maturing debt and interest, and to provide for a Reserve Fund;

(b) for extraordinary maintenance, special capital projects and other capital outlay items for the several Town departments;

(c) for such purposes as may be voted contingent upon passage by the voters of referendum questions as authorized by the General Laws Chapter 59, Section 21c (m), as amended;

or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 9. To see what sum of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, in addition to the amount appropriated under Article 8, to the Group Insurance Liability Fund, or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 10. To see what action the Town will take to fix the salary and compensation of all elected officials of the Town as provided by the General Laws Chapter 41, Section 108 as amended; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 11. To see what sum of money the Town will raise and appropriate, or otherwise provide, for the Stabilization Fund pursuant to the provisions of Section 5B of Chapter 40 of the General Laws, as amended; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 12. To see what sum of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, to the Municipal Light Board for the Municipal Light Plant; or take any other action relative thereto.

(Municipal Light Board)

ARTICLE 13. To see what sum of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, to the Board of Public Works for the Water Program; or take any other action relative thereto.

(Board of Public Works)

ARTICLE 14. To see what sum of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, to the Board of Public Works for the Sewer Program; or take any other action relative thereto.

(Board of Public Works)

ARTICLE 15. To see if the Town will vote pursuant to Section 53D of Chapter 44 of the General Laws, as amended, to authorize the establishment of one or more revolving fund(s) for the purpose of funding the activities of certain departments of the Town; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 16. To see if the Town will vote pursuant to Section 53E1/2 of Chapter 44 of the General Laws, as amended, to authorize/reauthorize the establishment of one or more revolving fund(s) for the purpose of funding the activities of certain departments of the Town; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 17. To act on the report of the Community Preservation Committee on the fiscal year 2008 community preservation budget and, pursuant to the provisions of General Laws Chapter 44B, to appropriate or reserve for later appropriation monies from Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of

debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year; or take any other action relative thereto.

(Community Preservation Committee)

APPROPRIATIONS – SPECIAL CAPITAL PROJECTS

ARTICLE 18. To see what sum of money the Town will raise and appropriate, or otherwise provide to the Board of Public Works for water and/or sewer line rehabilitation; and for any equipment or services in connection therewith; to determine whether such sums shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

(Board of Public Works)

ARTICLE 19. To see if the Town will vote to approve the project proposed jointly by the Municipal Light Board and the Board of Public Works to raze the existing garage whose space is currently being shared by the Municipal Light Plant and the Department of Public Works and construct (a) a new garage/warehouse for the MLP and (b) a new garage or a new garage and office building for the DPW, including the Water and Sewer Divisions, and possibly other town departments, as follows:

(a) A vote pursuant to Section 41 of Chapter 164 of the General Laws, or any other enabling authority, authorizing the MLP to construct a new MLP garage/warehouse, and to raze the existing garage/warehouse; said action to be solely at the MLP's expense; and

(b) A vote to raise and appropriate, or otherwise provide, including transfer from available funds, a sum of money for engineering services, plans and specifications, and for the construction of a new garage or a new garage and office building for the DPW, including the Water and Sewer Divisions, and possibly other town departments; and to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer of available funds, including from either or both of the Water and Sewer enterprise funds; and

(c) If necessary to establish proper siting for both buildings, a vote pursuant to Section 15A of Chapter 40 of the General Laws transferring the care, custody, management and control of all or portion(s) of the land currently under the jurisdiction of the MLP and DPW respectively between the same departments;

a favorable vote under (a) and (b) above being required for the project to proceed;

or take any other action relative thereto.

(Municipal Light Plant / Board of Public Works)

ARTICLE 20. To see what sum of money the Town will raise and appropriate, or otherwise provide, to the Board of Public Works, for the cost of planning and engineering services, for plans and specifications, and for construction and/or reconstruction of drains, culverts, and drainage improvement systems within the Town of Wellesley; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

(Board of Public Works)

ARTICLE 21. To see what sum of money the Town will raise and appropriate, or otherwise provide to the Board of Public Works, Natural Resources Commission and/or Recreation Commission for the purpose of protecting, preserving, managing and improving Morse Pond, including but not necessarily limited to the following: (a) rooted plant control; (b) phosphorus and sediment inactivation; (c) dredging; (d) watershed management and education; (e) Town bylaw review and enhancement; (f) low impact development, construction, and demonstration efforts; and (g) program implementation; to determine whether such sum will be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

**(Board of Public Works
Natural Resources Commission
Recreation Commission)**

ARTICLE 22. To see what sum of money the Town will raise and appropriate, or otherwise provide, to the School Committee for the preservation, construction, reconstruction and/or rehabilitation of Sprague Field and for professional or other services in connection therewith; to determine whether such sums shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

(School Committee)

ARTICLE 23. To see what sum of money the Town will raise and appropriate, or otherwise provide, for school building roof maintenance and replacement; plumbing, heating and electrical system repairs; flooring replacement; ceiling and window replacement; and such additional purposes as may be advisable; to determine whether such sums shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

(School Committee)

ARTICLE 24. To see what sum of money the Town will raise and appropriate, or otherwise provide, in addition to the amount appropriated under Article 7 of the December 6, 2004 Special Town Meeting, for the architectural, engineering, and/or other professional services for the reconstruction, remodeling, and/or addition to the Wellesley Middle School, to accommodate the classroom and/or administrative needs of the School Department and/or other educational needs of the Town, and for the construction, reconstruction, remodeling, rehabilitation and/or modernization of the same, and for other services in connection therewith; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

(School Committee)

ARTICLE 25. To see what sum of money the Town will raise and appropriate, or otherwise provide, for architectural, engineering and/or other services for plans and specifications for a new High School building or for the reconstruction, remodeling, and/or addition to the existing High School, to accommodate the classroom and/or administrative needs of the School Department and/or other educational needs of the Town; and for the construction, reconstruction, remodeling, rehabilitation and/or modernization of the same; and for other services in connection therewith; to determine whether such sum shall be raised by taxation, through borrowing or otherwise; and to authorize the Selectmen to petition the Commonwealth of Massachusetts for a construction grant, if available, under the provisions of Chapter 70B of the General Laws as amended by Chapter 208 of the Acts of 2004 and regulations promulgated thereunder, or other authority; or take any other action relative thereto.

(School Committee)

ARTICLE 26. To see what sum of money the Town will raise and appropriate, or otherwise provide, to the Board of Selectmen for infrastructure improvements to the town's parking facilities, including the replacement of the existing parking ticket machines; and for any equipment or services in connection therewith; to determine whether such sums shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

(Board of Selectmen)

STREET ACCEPTANCES

ARTICLE 27. To see if the Town will vote to accept as a public way (without betterments) the following street as laid out by the Board of Selectmen: Burnett Lane, as shown on a plan on file in the Office of the Town Clerk entitled "Burnett Lane Street Acceptance Plan" drawn by GLM Engineering Consultants, Inc., dated November 20, 2006; to raise and appropriate money therefor, or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 28. To see if the Town will vote to accept as a public way (with betterments) the following street as laid out by the Board of Selectmen: Sabrina Road, as shown on a plan on file in the Office of the Town Clerk entitled "Sabrina Road Street Acceptance Plan" drawn by Stephen S. Fader, Town Engineer, dated January 11, 2007; to raise and appropriate money therefor, or take any other action relative thereto.

(Citizen Petition)

ARTICLE 29. To see if the Town will vote to accept as a public way (with betterments) the following street as laid out by the Board of Selectmen: Woodside Avenue, as shown on a plan on file in the Office of the Town Clerk entitled "Woodside Avenue Street Acceptance Plan" drawn by Stephen S. Fader, Town Engineer, dated December 29, 2005; to raise and appropriate money therefor, or take any other action relative thereto.

(Board of Selectmen)

AUTHORIZATIONS

ARTICLE 30. To see if the Town will vote to grant, accept and/or abandon one or more easements, including but not limited to utility and drainage easements, at one or more locations in the Town; or take any other action relative thereto.

(Board of Public Works)

ARTICLE 31. To see if the Town will vote to accept, for some or all town boards, committees or commissions holding adjudicatory hearings, the provisions of G.L. c.39, §23D, the effect of which will be to provide that a member of a town board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member's absence from a session of such hearing, provided before voting the member shall certify in writing, under the penalties of perjury, that all evidence submitted at the missed session or sessions, including the official records of the missed session or sessions, has been examined; to amend the town bylaws to amplify on the foregoing; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 32. To see if the Town will vote to ratify the vote of the Retirement Board accepting the provisions of G.L. c. 32, Section 9 (2) (d) (ii), added by c. 55 of the Acts of 2006, thereby providing an additional pension for qualifying surviving unmarried children of a member; or take any other action relative thereto.

(Retirement Board)

ARTICLE 33. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for Home Rule legislation authorizing the Town to raise and appropriate money for a Parking Fund; moneys deposited into the Parking Fund to be used at the discretion of the Board of Selectmen to acquire land or rights in land for parking purposes; to design and construct additional municipal parking and/or improve existing municipal parking; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 34. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for Home Rule legislation amending c. 267 of the Acts of 2002 to add affordable mixed income housing and open space as authorized uses should the Town acquire the portion of the Cochituate Aqueduct described in said Act; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 35. To see if the Town will vote to acquire by exchange, purchase, eminent domain, gift or otherwise, for municipal purposes, a portion of the parcel of land commonly referred to as 2 Linden Street now or formerly owned by Haynes Trust containing approximately 1,477 square feet, as shown on a plan entitled "Plan of Taking at Linden Street, 2-20 Linden Street Wellesley, MA", prepared by Stephen S. Fader, Town Engineer, dated October 27, 2006, a copy of which is on file in the Office of the Town Clerk; to accept the same and add it to the existing abutting public way; to raise and appropriate or otherwise provide, a sum of money for the same; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 36. To see if the Town will reauthorize the vote previously taken under Article 32 of the Warrant for the 2006 Annual Town Meeting approving the land exchange at 19 Clovelly Road in the following respects:

(a) to acquire by exchange, purchase, eminent domain, gift or otherwise, for parkland purposes, a portion of the parcel of land commonly referred to as 19 Clovelly Road now or formerly owned by Dr. James and Pamela Broderick containing approximately 1320 square feet, as shown on a plan entitled "Plan of Land at 19 Clovelly Road, Wellesley Massachusetts showing proposed land exchange with the Town of Wellesley", prepared by Frank Iebba, Land Surveyor, dated December 15, 2005, scale 1" = 30'; a copy of which is on file in the Office of the Town Clerk; and

(b) in exchange for this acquisition, to convey a certain portion of the Town-owned Caroline Brook/Fuller Brook parkland, as shown on said plan, containing approximately 1200 square feet; the result of said exchange to correct an encroachment of private property onto Town-owned parkland and will allow for a net gain to the Town of approximately 120 square feet of parkland; and

(c) to authorize the Board of Selectmen to petition the General Court for authorization to complete this exchange;

or take any other action relative thereto.

(Natural Resources Commission)

ARTICLE 37. To see if the Town will reauthorize the vote previously taken under Article 20 of the Warrant for the 2005 Annual Town Meeting approving the land exchange at 12 Marvin Road in the following respects:

(a) to acquire by exchange, purchase, eminent domain, gift or otherwise, for parkland purposes a portion of the parcel of land commonly referred to as 12 Marvin Road now or formerly owned by Dr. Erik Garpestad and Ms. Kathleen Walsh containing approximately 960 square feet, as shown on a plan entitled "Plan of Land at 12 Marvin Road, Wellesley, Massachusetts", prepared by Everett M. Brooks Co., dated October 26, 2004, scale 1" = 20'; a copy of which is on file in the Office of the Town Clerk;

(b) in exchange for this acquisition, the Town will convey a portion of Town-owned parkland on a portion of the parcel of land commonly referred to as the Fuller Brook Park, now or formerly owned by the Town of Wellesley under the jurisdiction of the Natural Resources Commission containing approximately 923 square feet as shown on the above referenced plan; the result of this exchange will correct an encroachment of private property onto Town-owned parkland and will allow for a net gain of 37 square feet of Town-owned parkland; the Natural Resources Commission hereby grants an easement for a private storm drain connection on Town-owned parkland to the owner of 12 Marvin Road;

(c) to authorize the Board of Selectmen to petition the General Court for authorization to complete this exchange;

or take any other action relative thereto.

(Natural Resources Commission)

ARTICLE 38. To see if the Town will reauthorize the vote passed under Article 30 of the Warrant for the 2006 Annual Town Meeting authorizing the Board of Selectmen to petition the General Court for Home Rule legislation authorizing the Town to raise and appropriate, or otherwise provide, money to pre-fund some portion of the Town's liability

for Postemployment Benefits Other Than Pensions (OPEB) through a temporary levy limit override or exclusion, or such other funding approach as the Town should choose; provided that said funding shall be contingent upon the passage of a referendum question under Section 21C of Chapter 59 of the General Laws authorizing said appropriation to be raised in excess of the Proposition 2 ½ limits; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 39. To see if the Town will vote to authorize the Board of Selectmen to enter into one or more leases of certain parcels of town-owned land within the Cochituate Aqueduct; and/or to renew existing leases; on such terms and conditions, including dollar amounts, as said Board deems to be in the Town's interest; or take any other action relative thereto.

(Board of Selectmen)

AMEND ZONING BYLAWS

ARTICLE 40. To see if the Town will vote to amend the Zoning Bylaw Section IA. DEFINITIONS. by adding definitions for eight terms used in the Zoning Bylaw which are yet undefined, as follows;

and by striking from the definition of "Floor Area Ratio" the word "lot" and by inserting in its place the words "development area" ;

so that the eight new and one modified definitions will read substantially as follows:

Accessory building - A building, the occupancy or use of which is incidental to that of the main or principal building, that is located on the same lot as the main or principal building.

Addition, Building Addition - Any increase in building coverage (footprint), aggregate floor area, height or number of stories.

Building - A structure enclosed within exterior walls or firewalls, built, erected and framed of a combination of any materials, whether portable or fixed having a roof, to form a structure for the shelter of persons, animals or property. The word "building" shall be construed where the context requires as though followed by the words "or parts thereof". Each portion of a building which is completely separated from other portions by fire walls shall be considered as a separate building.

Change of use: An alteration by change of use in a building heretofore existing to a new use which may require a special permit or may alter the ratio of off-street parking spaces required.

Principal building, Main Building- A building in which is conducted the primary or predominant use of the lot on which it is located.

Lot (Conforming)- An area of land in one ownership with definite boundaries, complying with the area, frontage and other requirements of this Zoning Bylaw.

Lot (Pre-existing, Non-conforming) - A legally created area of land in one ownership with definite boundaries which does not now comply with one or more of the requirements of this Zoning Bylaw by reason of the establishment of the Zoning Bylaw or subsequent zoning amendment.

Structure - A combination of materials assembled at a fixed location to give support or shelter. The word "structure" shall be construed, where the context requires, as though followed by the words, "or part or parts thereof." A retaining wall supporting four or more vertical feet of earth material shall be considered a structure and consequently shall be subject to lot setback requirements as set forth in SECTION XIX. YARD REGULATIONS. Multiple substantially parallel walls each of which support less than four vertical feet of earth material shall not be considered a structure provided the horizontal separation between such walls is five or more feet.

Floor Area Ratio - The floor area of building divided by the commercially zoned lot area. Floor area shall be the sum of the horizontal areas of the several floors of a building as measured from the exterior surface of the exterior walls. Parking garages, interior portions of building devoted to off-street parking, and deck or rooftop parking shall not be considered as floor area. The floor area devoted to a child care facility (defined to mean a "day care center" or a "school age child care program," as those terms are defined in Section 9 of Chapter 28A M.G.L.) as an accessory use to an allowed use, shall not be considered as floor area for the purposes of the calculation of Floor Area Ratio except that the building floor area shall not exceed 110% of the building floor area otherwise allowed without a child care facility. The floor area devoted to dwelling units developed in accordance with and under the provisions of SECTION XVIB. INCLUSIONARY ZONING., shall not be considered as floor area for the purposes of the calculation of Floor Area Ratio provided that Assisted Units sufficient to satisfy SECTION XVIB. are provided on the same development area.

and by adding, after the list of definitions, a sentence to read substantially as follows:

“Where terms are not defined such terms shall have the ordinarily accepted meanings such as the context implies.”

or take any other action relative thereto.

(Planning Board)

ARTICLE 41. To see if the Town will vote to amend the off street parking requirements by amending the Zoning Bylaw, SECTION XXI. OFF STREET PARKING by making a series of changes, including adding to the purpose paragraph, establishing several new definitions, modifying the table of parking requirements, eliminating the allowance for compact cars, eliminating restrictions on use of parking, establishing a special permit procedure administered by the Planning Board for consideration and approval of parking alternatives, including contributions to a parking fund,

by adding to Part A. PURPOSE. four sentences to read substantially as follows:

It is recognized, however, that the Town's commercial villages (Wellesley Square, Wellesley Hills Square and Lower Falls Village) were predominantly built prior to the establishment of parking requirements; have developed to densities that encourage pedestrian movement from shop to shop; and have virtually no land available for new parking lots. It is further recognized that the creation of new parking lots can have negative effects in terms of increasing turning movements and points of conflict with other vehicles and with pedestrians. Additional off-street, on-site parking can negatively impact aesthetics; increase vehicle trips while at the same time reduce pedestrian trips. The negative effects of additional parking can be lessened by encouraging parking decks and parking structures; shared parking; and increased pedestrian and bicycle use.

and by adding to Part B.DEFINITIONS. eight new definitions to read substantially as follows:

Bicycle facility – improvements to accommodate or encourage bicycling, including parking facilities, maps, signs.

Parking structure- a deck or multi level structure that provides two or more levels of parking for motor vehicles.

Restaurant, Fast Food – restaurant where customers order from a menu board while standing at a counter and pay for food before consuming it.

Restaurant, Sit Down - restaurant where customers, while seated, order from wait staff personnel and typically pay after the meal has been consumed. Take away food sales may not exceed 30% of total food sales.

Shared parking – joint use of a parking area by the guests, tenants, visitors, customers, and/or employees of more than one use, business or owner where peak parking demand occurs on different days or different times of the day.

Stacked parking – the parking of cars in a parallel line, one in back of another such that one or more vehicles may have to be moved by an attendant in order that another vehicle may exit the lot.

Storage area - An area either used or required for the standing of motor vehicles held for sale or rental.

Use - The purpose for which land or building is employed, arranged, designed, or intended or for which either is occupied or maintained.

and by adding to Part C. APPLICABILITY. subparagraph 2. the word "required" so that subparagraph 2. will read substantially as follows:

2. No existing required off-street parking spaces shall be eliminated by the replacement or enlargement of an existing building or structure, unless replaced by spaces provided in accordance with this Section.

and by changing in the last line of subparagraph 4 the word "of" to the word "that" and by adding at the end the words "comprises 2,500 or more square feet of floor area." so that subparagraph 4 will read substantially as follows:

4. Changes in the use of existing buildings or structures, or parts thereof or of land shall require additional off-street parking spaces in accordance with the provisions of this Section, but only to the extent that such change comprises 2,500 or more square feet of floor area.

and by striking the word "substantial" from the first paragraph of Part D. REGULATIONS AND RESTRICTIONS., Subpart 1. GENERAL PROVISIONS and inserting the words "comprising 2,500 or more square feet of floor area," so that the first paragraph will read substantially as follows:

"No parking or storage area (whether required by this Bylaw or otherwise subject to Subpart 3. of this Section) shall be constructed or altered; no building permit for the erection, enlargement or alteration, comprising 2,500 or more square feet of floor area, of any building for which a parking or storage area would be required by this Bylaw shall be issued; and the uses to which a lot is put shall not be changed to a use or uses requiring different parking requirements from those applicable to the former use; unless in each case a permit has been issued in accordance with the provisions of Part E., Subpart 1. of this Section based on an Off-Street Parking or Storage Plan which shows such parking or storage areas and/or the parking or storage areas associated with such buildings or changed uses. Said Off-street Parking or Storage Plan shall include:"

(balance of subpart 1 remains unchanged)

and by striking from the first paragraph of Subpart 2. REQUIRED PARKING. words "In all districts which require off-street parking in accordance with this Zoning Bylaw," and the words "in the zoning districts, and is not intended to indicate the allowed uses in the districts." and by adding the words "excluding single and two family and" so that the first paragraph of Subpart 2 will read substantially as follows:

“Off-street parking shall be provided for uses (excluding single and two family and public housing for the elderly) according to the following table. The table is intended to show the minimum number of parking spaces required for various uses. “

and by modifying the table of parking requirements by striking the middle column entitled “Zoning Districts” and by consolidating, adding and deleting uses and changing some requirements so that the table will appear substantially as follows:

OFF-STREET PARKING REQUIREMENTS	
USE	MINIMUM NUMBER OF PARKING SPACES
Hotel, inn, lodging house.	One space per two guest rooms.
Restaurant, sit down (with or without liquor license)	One space for each 100 sq. ft.* of area in which food is served
Restaurant, fast food (no liquor license)	Two spaces for each 100 sq. ft.* of area in which food is served
Building used for administrative, clerical, statistical & professional offices, and other similar uses.	3.2 spaces per 1,000 sq. ft. of floor area of buildings.** ***
Any building where the principal use is motor vehicle sales or service.	One space per employee and one space per motor vehicle (not for sale or rental) owned, operated or associated with the establishment and one space per 100 sq. ft.* of area occupied by buildings.
Any building used for physical education or physical recreation purpose.	One space for every 3 permanent spectator seats, which shall include folding bleachers that are attached to buildings, but not less than one space per 1,000 sq. ft. of floor area of buildings.**
Any allowed use with or without a special permit in the Lower Falls Village Commercial District	3.2 spaces per 1,000 sq. ft.* of first floor area of buildings.** 2 spaces per 1,000 sq. ft.* of upper floor space in excess of 4,000 sq. ft.** *****
Assisted Elderly Living, Independent Elderly Housing.	0.65 spaces per dwelling unit.
Conventional Multi Family Housing	2 spaces per dwelling unit.
Nursing Home and/or Skilled Nursing Facility.	1 space for 5 nursing home beds.
Town Houses, Apartments and other multi-family.	Two spaces on the lot for each dwelling unit.
Any residential use in the Linden Street Corridor	2.5 spaces per one, two or three bedroom unit.

Overlay District	
Any business or commercial purpose.	5 spaces for each 1,000 square feet of ground coverage of buildings*, but not less than 3.2 spaces per 1,000 square feet of floor area of buildings.**

and by eliminating the allowance for compact cars by striking from Subpart 3. DEVELOPMENT STANDARDS. the table dimensions for compact cars entitled "Minimum Parking Space and Aisle Dimensions for parking areas (in feet)" and the paragraph of text that precedes that table.

and by adding to the first paragraph of Part E. ADMINISTRATION. Subpart 2. SPECIAL PERMITS. the words "Planning Board acting as" immediately preceding the words "Special Permit Granting Authority" so that the first paragraph will read substantially as follows:

An applicant who proposes to erect, enlarge or substantially alter a building, for which parking is required by this Bylaw, which parking to be provided is insufficient, may apply to the Planning Board acting as_ Special Permit Granting Authority for a special permit in accordance with this SECTION XXI. and SECTION XXV. of this Zoning Bylaw subject to the following:

and by striking the second paragraph of Subpart 2.

and by adding a new protocol for establishing the number of parking spaces required and to permit an in-lieu-of cashing out procedure by adding to Subpart 2 language to read substantially as follows:

Determination of Minimum Number of Parking Spaces Required (PSR)

PSR shall be determined by the Planning Board. The applicant shall request such a determination of the Board in writing. In such request the applicant shall specify the proposed square footage devoted to each use in the project. In review of requests the applicant shall submit relevant information and the Board shall consider existing and proposed on-street and off-street parking and the availability of public transportation within a 600 foot distance of the site, plans for shuttle service, valet parking, shared parking, and/or stacked parking, parking structures, pedestrian usage and bicycle facilities giving details on planned implementation of same. Within 21 days the Planning Board, at a regular meeting, shall determine the PSR in conjunction with a project and shall so notify the applicant in writing. The Board may request reviews by the Town Engineer and the Town Traffic Consultant in making this determination. The cost of review shall be the responsibility of the applicant.

Alternatives to Satisfy Minimum Number of Parking Spaces Required (PSR)

One or more of the following alternatives may be used to satisfy the requirements of this subpart 2. subject to the issuance of a special permit by the Planning Board acting as Special Permit Granting Authority:

- a. PSR may be maintained on a lot other than the same lot with the building, provided the spaces are available on another lot accessible to and within a walking distance of 600 feet from the development area.
- b. PSR may be achieved through a combination of on-site parking and other parking options as herein described and defined.
- c. A cash contribution may be made to a parking trust fund account, to be established, as a payment-in-lieu of providing PSR. Moneys so deposited within such trust fund account shall only be used to augment and improve municipal parking facilities.

Determination of Cash Contribution to Parking Trust Fund

The amount of the cash contribution described above shall be determined by the Planning Board and shall be the product of a) the difference between the PSR and the b) the cost to the Town of providing an off street parking space, this amount to be updated from time to time.

or take any other action relative thereto.

(Planning Board)

ARTICLE 42. To see if the Town will vote to amend the Zoning Bylaw SECTION XVIA. SITE PLAN APPROVAL. to update the traffic element of the PSI review; to include several new definitions; to include specific traffic data submission requirements; to include post-construction monitoring; to modify the definition of "roadway impacted"; and to modify the process for approval of the traffic impact analysis; consistent with, where applicable, the Mass Highway Project Development and Design Guide;

by amending the Zoning Bylaw SECTION XVIA. SITE PLAN APPROVAL. Part B. DEFINITIONS by adding six new definitions, which will read substantially as follows:

Annual Average Daily Traffic (AADT) – The total yearly volume of automobiles and trucks divided by the number of days in the year.

Average Daily Traffic (ADT) - The calculation of averaged traffic volumes in a time period greater than one day and less than one year. Usually ADT is determined based on a representative (no holidays or unusual weather related circumstances) 7 day week.

Peak-Hour Traffic (PH) – The highest number of vehicles passing over a section of highway during 60 consecutive minutes. T(PH) is the PH for truck traffic only.

Peak-Hour Factor (PHF) – a ratio of the total volume occurring during the peak hour to the maximum rate of flow during a given time period within the peak hour (typically 15 minutes duration).

Design Hourly Volume – (DHV) – The one-hour volume in the design year selected for determining the highway design. (Typically the worst-case weekday morning or evening peak hour or the 30th highest hour of the year).

K-Factor (K) – The percent of daily traffic (ADT) that occurs during the peak hour (PH).

and by adding the word “project” to the definition of “Construction Project” so that the definition will read substantially as follows:

Project, Construction Project - the term shall include phased or segmented projects where a series of two or more projects on a single parcel, lot or development area, for which building permits are filed within a three-year period are, in the opinion of the Inspector of Buildings, components or segments of a single project.

and by striking the current definition of “Roadway Impacted by Development Traffic” and by inserting in its place a new definition to read substantially as follows:

Roadway Impacted by Development Traffic - A roadway segment, including one or more approaches to an intersection, shall be considered as impacted if:

- a. it is traversed by 30 or more vehicles related to the project in a single direction during any single hour, or if the added vehicle trips result in an increase in ADT or PH of 5% or more; or
- b. it borders and/or serves the project and is substandard in terms of structure, pavement surface, or other deficiencies; or
- c. it borders and/or serves the project and exhibits safety problems as identified by the Town Traffic Engineer.

and by striking subparagraphs 1. and 2. from part C. APPLICABILITY AND PROCEDURE. following the phrase “The analysis shall include:” and by inserting in their place paragraphs 1. and 2. to read substantially as follows:

1. Utility Capacity

including water, sewer, storm drain and electric distribution systems before construction and at expected occupancy date;

2. Traffic

identification of existing traffic and anticipated traffic at time of full project occupancy at roadway segments and intersections, present and proposed site connections to the street system and streets bordering the development including:

- a. percentages generated by surrounding neighborhood, non-local residential, through traffic and truck traffic;
- b. vehicle speed;
- c. sight distances;
- d. existing safety records including accident data;
- e. description of existing traffic controls;
- f. Annual Average Daily Traffic;
- g. Average Daily Traffic
- h. Peak-Hour Traffic (morning and afternoon or other peak);
- i. Peak-Hour Factor;
- j. Design Hour Volume;
- k. K- Factor;
- l. levels of service (LOS);
- m. Project generated traffic and its distribution;
- n. Volume To Capacity Ratio;
- o. Average Delay;
- p. Average and 95th Percentile Queue Lengths; and
- q. Roadways impacted by development traffic.

and by inserting titles to paragraphs 5., 6. and 7. to read respectively "5. Pedestrian and Bicycle Safety," "6. Building Occupant Life Safety," and "7. Refuse Disposal and Recycling."

and by adding to subparagraph 7. the words "and recycling" so that paragraph 7. will read substantially as follows:

7. Refuse Disposal and Recycling

anticipated impact on the Town's refuse disposal and recycling system.

and by striking the first paragraph appearing under the heading "Special Permit for Projects of Significant Impact" and by inserting in its place a new first paragraph to read substantially as follows:

No decision shall be made by the Planning Board acting as SPGA in connection with any properly completed application until it has been referred to reviewed and approved by the four review departments (Department of Public Works for the

water, sewer, storm drain, refuse and recycling elements; Municipal Light Plant for the electric element, Fire Department for fire alarm, fire protection and life safety element and Office of the Board of Selectmen for the traffic and pedestrian safety element). Review departments are not required to hold a public hearing for this purpose. Review departments may employ outside consultant assistance as deemed necessary.

and by striking the two paragraphs appearing under the heading "Traffic and Pedestrian Safety" and by inserting in their place two paragraphs to read substantially as follows:

There shall be no degradation of the level of service, operation or safety of any impacted intersection or roadway segment. Evaluations shall be made in accordance with the 2006 (or subsequent later edition) Massachusetts Highway Department Project Development and Design Guide and shall include and consider AADT, ADT, PH, PHF, DHV, K as well as average delay, volume to capacity ratios, queuing, existing safety records and potential effects on safety consistent with standards adopted by the Board of Selectmen.

Pedestrian and bicycle circulation shall be provided in accordance with recognized safety standards; sidewalks within walking distances specified above and sidewalk connections to surrounding neighborhoods and to public transportation shall be safe and convenient and as otherwise required by the Mass Highway Project Development and Design Guide.

and by adding at the end of the third paragraph appearing under the heading "Negotiated improvements." a sentence to read substantially as follows:

Post development traffic monitoring shall be required to review PSI traffic projections and evaluate further traffic improvements to be implemented by the applicant, if necessary.

and by striking the words "Major Construction Project approval" from the heading "Relationship of PSI procedure with Major Construction Project approval" and by inserting the words "other approvals" so that the heading will read substantially as follows:

Relationship of PSI procedure with other approvals.

and by inserting under this heading two new paragraphs to read substantially as follows:

Any required special use permit must be obtained from the Zoning Board of Appeals acting as Special Permit Granting Authority and the 20 day appeal period for same shall have expired with no appeal being taken prior to the submission of a PSI application to the Planning Board.

The application for a special permit under the provisions of SECTION XVIB. INCLUSIONARY ZONING, or SECTION XXI. OFF STREET PARKING may be made concurrently with the PSI application to the Planning Board.

or take any other action relative thereto.

(Planning Board)

ARTICLE 43. To see if the Town will vote to restate the so-called "500 foot rule" by amending the Zoning Bylaw by striking from SECTION XIX. YARD REGULATIONS., B. REQUIREMENTS the paragraph following the single asterisk following Table 3., which currently reads as follows:

* Where, on a frontage of 500 feet including the lot to be affected, or on a frontage between two intersecting or entering streets if such frontage is less than 500 feet, all existing buildings (if they are not less than three in number) have front yards of a depth greater than 30 feet, the minimum depth thereof shall be the depth required.

and by substituting the following paragraphs and diagrams to read substantially as follows in place of said paragraph:

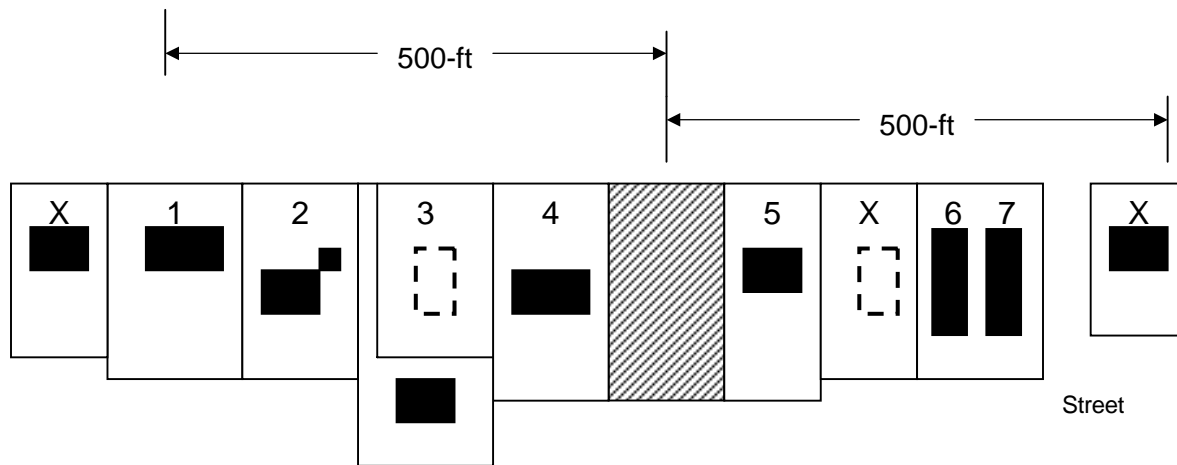
* An increased front yard depth (minimum setback from the street) requirement shall apply to a lot when at least 50 percent or more (in number – for example, 3 out of 5, or 5 out of 10) of the main buildings (that are not accessory buildings) located within 500 feet have front yard depths greater than the minimum front yard depths shown on the table for the applicable Area Regulation District. In this case, the minimum front yard depth of the lot in question shall be equal to the minimum front yard depth of the main building (that is not an accessory building) observed amongst the prerequisite 50 percent or more main buildings that have front yard depths greater than the minimum front yard depths shown on the table for the applicable Area Regulation District.

This requirement shall apply to a lot that has never been built upon (for example, a newly created lot or an existing vacant lot) as well as to a lot that was previously built upon and is currently vacant (for example, a building on which it occupied was removed or demolished).

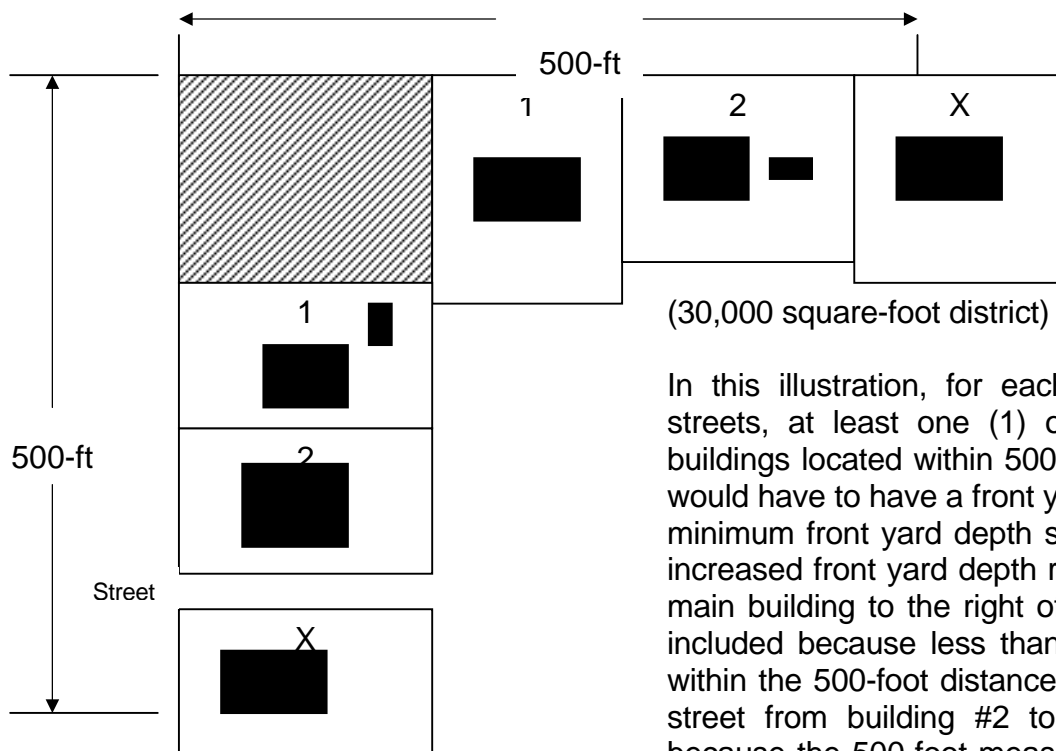
This requirement shall not apply to an addition being proposed to an existing building where the addition will have a front yard depth equal to or greater than the existing building involved, pursuant to the requirements provided in the Zoning Bylaws.

1. For corner lots in the 10,000, 15,000, and 20,000 square-foot Area Regulation Districts, the increased front yard depth shall apply to the street in which the main building occupying the lot is addressed. For corner lots in the 30,000 and 40,000 square-foot Area Regulation Districts, the increased front yard depth shall apply to any street upon which the lot in question fronts (more than one street).

2. An alternative to the 500-foot requirement prescribed above for minimum front yard depth shall apply to a lot that was previously built upon and had been made vacant (for example, a building on which it occupied was removed or demolished) within the last two (2) years. In this case, the minimum front yard depth can be equal to the front yard depth of the building previously occupying the lot, provided it was equal to or greater than the minimum front yard depth shown on the table for the applicable Area Regulation District. If the front yard depth of the building formerly occupying the lot was less than the minimum front yard depth shown on the table for the applicable Area Regulation District, then the front yard depth of the new building can be equal to or greater than the minimum front yard depth shown on the table.
3. In measuring the 500-foot distance and determining the applicable main buildings, the following rules shall be followed:
 - a. The 500-foot measurement shall begin at the midpoint of the total continuous frontage of the lot in question and extend 500 feet along the frontage in both directions on the same side of the street as the lot in question, for a total of 1,000 feet of frontage. The 500-foot measurement shall terminate at any street intersection on the same side as the lot in question.
 - b. For corner lots in the 30,000 and 40,000 square-foot Area Regulation Districts, the 500-foot measurement shall begin at the street corner and extend 500 feet along the frontages of the two intersecting streets on the same side as the lot in question. The 500-foot measurement shall terminate at any street intersection on the same side as the lot in question.
 - c. In addition to the frontage as it is defined in this Section, frontage shall include lot boundary lines abutting an unaccepted way.
 - d. Main buildings (that are not accessory buildings) with front yards along the frontage shall be included, provided 50 percent or more of its foundation is located within the 500-foot distance measured in both directions from the lot in question.
 - e. Main buildings occupying rear lots (for example, lots along the same frontage as the lot in question, but located behind other lots closer to the frontage being measured) shall not be included.
 - f. Main buildings within the 500-foot distance measured in both directions from and including the lot in question that had been removed or demolished within the last ten (10) years shall be included. The front yard depth of the previous main building shall be determined from historical records, plans, drawings, and photographs, to the extent possible.



In this illustration, at least four (4) of the seven (7) total main buildings located within 500 feet of the lot in question would have to have front yard depths greater than the minimum front yard depth shown on the table for the increased front yard depth requirement to apply. Main building #1 is included because 50% or more of its foundation is within the 500-foot distance. Former main building #3 is included because it was removed within the last 10 years. The main building behind Building #3 is not included (a rear lot). The main building formerly occupying the lot between building #5 and buildings #6 and #7 is not included because it was removed more than 10 years ago. The main building across the street from building #7 is not included because the 500-foot measurement terminates at the street.



In this illustration, for each of the two intersecting streets, at least one (1) of the two (2) total main buildings located within 500 feet of the lot in question would have to have a front yard depth greater than the minimum front yard depth shown on the table for the increased front yard depth requirement to apply. The main building to the right of building #2 above is not included because less than 50% of its foundation is within the 500-foot distance. The building across the street from building #2 to the left is not included because the 500-foot measurement terminates at the street.

or take any other action relative thereto.

(Planning Board)

ARTICLE 44. To see if the Town will vote to amend the Zoning Bylaw by modifying the existing requirement for locating heating, ventilating, air conditioning, swimming pool, electric generating, or other noise emitting equipment by limiting the restriction to free standing equipment and by eliminating the reference to the Inspector of Buildings by adding to beginning of the first sentence of the third paragraph of Part B. REQUIREMENTS, of SECTION XIX. YARD REGULATIONS the words "Free standing" and by eliminating the second sentence of the paragraph so that this paragraph will read substantially as follows:

Free standing heating, ventilation, air conditioning, swimming pool, electric generating, or other noise emitting equipment shall not be located in required setback areas.

or take any other action relative thereto.

(Planning Board)

ARTICLE 45. To see if the Town will vote to amend the Zoning Bylaw to exempt from density limitations Assisted Units provided in accordance with the provisions of SECTION XVIB. INCLUSIONARY ZONING. by

adding to SECTION IA. DEFINITIONS Assisted Units a sentence to read substantially as follows:

"Assisted Units provided in accordance with the provision of SECTION XVIB. INCLUSIONARY ZONING. shall be exempt from the provisions of SECTION XVIII. AREA REGULATIONS. Part D. Ratio of Families to Lot Area" provided, however, that in a non-40B development which includes market rate units this exemption shall be limited to 20% of the total number of units on the development site.

and by adding to part F. General Provisions a new clause 7. to read substantially as follows:

7. Assisted Units provided in accordance with the provision of SECTION XVIB. INCLUSIONARY ZONING. shall be exempt from the provisions of

SECTION XVIII. AREA REGULATIONS. Part D. Ratio of Families to Lot Area provided, however, that in a non-40B development which includes market rate units this exemption shall be limited to 20% of the total number of units on the development site.

or take any other action relative thereto.

(Planning Board)

ARTICLE 46. To see if the Town will vote to bring the Zoning Bylaw in line with the Massachusetts Building Code relative to exemptions for certain accessory buildings by amending the Zoning Bylaw by adding the word “twenty” immediately after the words “one hundred” in the first sentence of the second to last paragraph of SECTION XIX. YARD REGULATIONS., B. REQUIREMENTS. and by striking the second sentence of that paragraph so that the paragraph will read substantially as follows:

The requirements for side and rear yards shall apply to all accessory buildings over one hundred twenty square feet in area. The requirements for front, side and rear yards shall not apply to the construction or enlargement of dormers on pre-existing non-conforming dwellings provided that the highest point of the existing roof is not exceeded and there is no further encroachment on the lot lines.

or take any other action relative thereto.

(Planning Board)

ARTICLE 47. To see if the Town will vote to further limit the height of certain buildings and modify the measurement of building height by converting to a base elevation using the natural, pre-construction grade by amending the Zoning Bylaw SECTION XX. HEIGHTS OF BUILDINGS OR STRUCTURES. by striking from the first paragraph the words “measured from the average finished grade of the land surrounding the exterior walls” and the words “or three stories, exclusive of parapets, chimneys, flag poles, solar collectors or necessary projections” so that the first paragraph will read substantially as follows:

No building or structure, except one for religious or non-residential municipal purposes, or excepting further, a building or structure in Limited Apartment Districts authorized by SECTION VIA. 3., shall be constructed, enlarged or altered so as to exceed a height of forty-five (45) feet.

and by striking from the second paragraph the words “as defined and restricted in this Section.” so that the second paragraph will read substantially as follows:

Provided, however, that single family, two family and town house buildings and additions thereto erected pursuant to a building permit issued on or after November 5,

1996 and buildings or additions thereto constructed in the Lower Falls Village Commercial District shall not exceed 36 feet in height.

and by adding three new definitions to SECTION IA. DEFINITIONS. to read substantially as follows:

Gable – The triangular portion of wall enclosing the end of a pitched roof from cornice or eaves to ridge.

Height, Building Height – A distance measured from the natural grade of the land surrounding the exterior walls to the maximum height of the highest roof surface exclusive of parapets, chimneys, flag poles, solar collectors or necessary projections.

Natural Grade – the grade of the land at an average of not less than four evenly distributed points surrounding the exterior walls prior to alteration or disturbance for construction as certified by a Massachusetts registered professional engineer or registered land surveyor. In the case of previously altered or disturbed land a reasonable estimate of natural grade, supported by evidence such as photographs or other suitable documentation, may be required.

Motion 2

and by adding a new paragraph to follow the second paragraph to read substantially as follows:

Provided, further, that an exterior wall of a one or two-family dwelling shall not be located closer to any property boundary line than a distance equal to the height of the wall excluding any gable.

or take any other action relative thereto.

(Planning Board)

ARTICLE 48. To see if the Town will vote to establish a limit on the bulk of new single family construction by amending the Zoning Bylaw by inserting in SECTION XIX. YARD REGULATIONS. A. DEFINITIONS. a definition of Bulk Factor to read substantially as follows:

Bulk Factor – The total building cubic footage volume, measured to the outside of the above-grade building walls and roof including covered porches, attached or detached garages and accessory buildings over 120 square feet but excluding decks, fences and features at grade such as patios, walks, driveways and play courts, divided by the lot size as measured in square feet.

and by adding to part B. REQUIREMENTS. a paragraph to follow the second paragraph of the section to read substantially as follows:

New or replacement single family houses for which building permits are issued after March 26, 2007 shall be subject to a maximum bulk factor of 4.5.

or take any other action relative thereto.

(Planning Board)

ARTICLE 49. To see if the Town will vote to define and limit possible changes to non-conforming properties by amending the Zoning SECTION XVII. PRE-EXISTING NON-CONFORMING USES, STRUCTURES AND LOTS. Part B. CHANGES TO NON-CONFORMING STRUCTURES. paragraph 1. One and Two-Family Dwellings. by striking the third paragraph thereunder and by inserting in its place language to read substantially as follows:

If the conclusion is otherwise, the Zoning Board of Appeals shall determine whether the change will be substantially more detrimental than the existing non-conforming structure or use to the neighborhood and consequently not entitled to the issuance of a permit.

A change shall be deemed by the Zoning Board of Appeals to be substantially more detrimental to the neighborhood if:

the proposed building coverage (footprint) within a required setback area exceeds 25% of the total coverage (footprint) of the existing structure; or if

the proposed building extends into a required setback area by more than 25% of the required setback distance; or if

the floor area proposed within a required setback area exceeds 25% of the total floor area of the existing structure; or if

one or more characteristics, features or elements of a project or a proposed change are found to be objectionable or excessive in a neighborhood.

or take any other action relative thereto.

(Planning Board)

ARTICLE 50. To see if the Town will vote to eliminate the setback requirements for residential uses in Commercial Districts by amending the Zoning Bylaw SECTION XIX. YARD REGULATIONS. by striking from the tenth paragraph of Part B.

REQUIREMENTS. reference to setbacks for dwelling house, apartment house, apartment hotel and club house so that the paragraph will read substantially as follows:

This Section shall not apply to lots in districts zoned as Lower Falls Village Commercial, Wellesley Square Commercial District, Business, Business A, Industrial, or Industrial A except for the requirements for front yards. In the Lower Falls Village Commercial District and Wellesley Square Commercial there shall be a minimum front yard depth of 5 feet and a maximum front yard depth of 10 feet. The requirement for front yards shall not apply to property included in a Business District on April 1, 1939, and fronting on Washington Street, Church Street, Central Street, Grove Street, Spring Street, Cross Street, or that part of Weston Road between Central Street and Cross Street.

or take any other action relative thereto.

(Planning Board)

ARTICLE 51. To see if the Town will vote to establish review of lot grading and construction of retaining walls by amending the Zoning Bylaw, SECTION II. SINGLE RESIDENCE DISTRICTS. paragraph A., 8., f. substantially as follows:

by adding the words "or placement" following the word "Removal" in the first line;

and by adding the words "whereby the existing contours of the land are to be raised or lowered by four (4) or more feet vertical over an area of 2,500 or more square feet," following the words "loam or sod there from";

and by adding a sentence at the end of paragraph A.,8.,f. to read substantially as follows:

The procedure for determining the applicability of this paragraph shall be set forth in regulations to be issued and from time to time amended by the Permit Granting Authority.

so that A.,8., f. will read substantially as follows:

f. Removal or placement of sand, gravel, rock, clay, loam or sod there from whereby the existing contours of the land are to be raised or lowered by four (4) or more feet vertical over an area of 2,500 or more square feet,

The procedure for determining the applicability of this paragraph shall be set forth in regulations to be issued and from time to time amended by the Permit Granting Authority.

or take any other action relative thereto.

(Planning Board)

ARTICLE 52. To see if the Town will vote to restructure and reorganize the site plan approval provisions by amending the Zoning Bylaw SECTION XVIA. SITE PLAN APPROVAL by making a series of editing amendments to rearrange, number and renumber paragraphs and clarify the language of some provisions, the current version of the motion being on file at the Planning Board Office; or take any other action relative thereto

(Planning Board)

ARTICLE 53. To see if the Town will vote to amend the Zoning Bylaw and the Zoning Map by establishing either as a General Residence District or a Multi-Family Residence District, land now in a Single Residence District. The land is comprised of three parcels shown on Assessors Sheet Map 43, including Parcel 41-1 and 41-2, also known as 61 and 63 Washington Street; Parcel 76, also known as 65 Washington Street; and Parcel 78, also known as 1 Hillside Road. The three parcels are further described in deeds recorded at the Norfolk County Registry of Deeds at Book 7915, Page 128 and Book 8857, Page 701; Book 23167, page 2; and Book 23631, Page 329 respectively. Said lots contain a total of approximately 39,816 square feet; or take any other action relative thereto.

(Citizen Petition)

AMEND TOWN BYLAW

ARTICLE 54. To see if the Town will vote to establish a Town Bylaw Study Committee consisting of 5 members to be appointed by the Moderator, whose focus shall primarily be to study the Town's protocol for town elections and business sessions of town meeting, including but not necessarily limited to reviewing the dates for the annual town elections and the beginning of the business sessions (Articles 8.2 and 8.6) respectively; whether certain notice provisions should be simplified, for example, to recognize the use of e-mail communication (e.g., Articles 4.4, 8.3, 8.10, 11.8); and generally to study how, if at all, the overall process can be improved; said committee to report to the 2008 Annual Town Meeting and propose bylaw amendments responsive to the study's conclusions; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 55. To see if the Town will vote to make town-wide the existing regulatory requirements of the Planning Board and DPW/MLP that the installation of certain utilities be constructed underground, by amending the Town Bylaws, Article 49. Police Regulations, by adding a new Section 49.3A, to be inserted after the existing Section 49.3, to provide substantially as follows:

49.3A Underground Installation of Utilities required.

Unless exempted by existing town regulation or bylaw, or by vote of the Board of Selectmen for good cause shown, the installation by any person of new utilities, or the upgrading of existing utilities, shall be underground. For these purposes, utilities shall include but not necessarily be limited to the conduit by which gas, electricity, or telecommunications and other forms of electronic information are transmitted.

or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 56. If necessary to comply with the new regulations of the Massachusetts School Building Authority,

- a) To see if the Town will vote to amend the Town Bylaws, Article 14. Permanent Building Committee, Section 14.2. Membership, in order to expand the membership of the Permanent Building Committee for any school building project for which the Town seeks funding from the Massachusetts School Building Authority as set forth in 963 CMR 2.10(3); and/or
- b) To see if the Town shall approve the establishment of a School Building Committee for the reconstruction, remodeling and/or rebuilding of the Wellesley High School pursuant to the provisions of the regulations of the Massachusetts School Building Authority (963 CMR 2.10(3)); and to amend the Town Bylaws if necessary to document said approval;

or take any other action relative thereto.

**(School Committee
Board of Selectmen)**

ARTICLE 57. To see if the Town will vote to amend the Town Bylaws, Article 49. Police Regulations, Section 49.19. Possession and Use of Alcoholic Beverages., so as to permit such beverages to be consumed within Town buildings subject to written permission of the Board of Selectmen; or take any other action relative thereto.

(Library Trustees)

Article 58. To see if the Town will vote to enable the creation of Neighborhood Conservation Districts to help conserve the character of distinctive neighborhoods and unique areas worthy of some level of protection, but which may not be appropriate for consideration as Historic Districts by amending the Town Bylaw to establish a new Article 46A, to read substantially as follows:

1. PURPOSES

- (a) This Bylaw enables the establishment in the Town of Wellesley of Neighborhood Conservation Districts ("NCDs") for the following purposes:
 - (i) To recognize that within the Town of Wellesley are unique and distinctive older residential neighborhoods and commercial districts which contribute significantly to the overall character and identity of the town and are worthy of preservation and protection. Some of these may be officially designated as Historic Districts while others may lack sufficient historical, architectural or cultural significance at present to be designated as such. The town aims to preserve, protect, enhance, and promote positive development consistent with this purpose and to otherwise perpetuate the value of these residential neighborhoods or commercial districts through the establishment of Neighborhood Conservation Districts.
 - (ii) To encourage preservation of existing buildings, to ensure that new construction will be compatible with and complement existing buildings, settings and neighborhood character, and to foster appropriate reuse and upgrading of buildings and structures in such neighborhoods and areas.
 - (iii) To provide residents and property owners with a means to participate in planning the future of their neighborhoods.
 - (iv) To promote wider public knowledge and appreciation of such neighborhoods, areas or structures in Wellesley.
 - (v) By furthering these purposes, to promote the public welfare by making Wellesley a more attractive and desirable place in which to live.
- (b) The buildings and characteristics of a neighborhood are not intended to be frozen in time by their designation as an NCD under this Bylaw; the neighborhood should be able to grow and change to meet the needs of current and future owners and of current and future times, while conserving the neighborhood's distinctive qualities as changes occur.
- (c) The designation of an NCD is intended as recognition of the neighborhood and its distinctive architectural, historical, cultural or social role in determining the character of the Town of Wellesley.

2. DEFINITIONS

ALTERATION –A change to a building exterior, structure or setting or part thereof including construction, demolition, moving, reconstruction, rehabilitation, removing, replication, restoration, or similar activities, and/or significant changes to the site itself.

BUILDING –Any combination of materials having a roof and permanent foundation and forming a shelter for persons, animals, or property.

CERTIFICATE OF COMPATIBILITY – A Certificate of Compatibility as established under this Bylaw; a form which states that a proposed plan for Alterations to a building, structure or property within an NCD meets the Design Guidelines adopted for that NCD, signed by the Chair of the NCD Commission or other officially delegated person responsible for its issuance. Issuance is necessary to obtain a building or demolition permit.

CERTIFICATE OF NON-APPLICABILITY –An official form issued by a Neighborhood Conservation District Commission that states the application for proposed changes to a building, structure, or property within an NCD is not subject to review under this article.

CONSTRUCTION –The erection of a new building or structure.

CONTIGUOUS AREA –Properties within a defined area that are connected in an unbroken sequence on either side of a right of way.

DEMOLITION – The act of pulling down, destroying, removing or razing a building or structure or commencing the work of total or substantial destruction.

DESIGN GUIDELINES –The official set of guidelines duly adopted under this Bylaw to guide the review of proposed Alterations within a particular designated NCD, as may be amended from time to time by a majority vote of Town Meeting.

EXTERIOR ARCHITECTURAL FEATURES –Such portions of the exterior of a building or structure, including but not limited to the architectural style and general arrangement and setting thereof, the type, and texture of exterior building materials, the type and style of windows, doors, lights, signs, and other appurtenant fixtures.

NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION –A body established under this Bylaw (a separate Commission being established for each NCD designated) with the authority to review, approve or disapprove, proposed Alterations in the NCD for compatibility under the Design Guidelines established for that District.

PETITION – Four part, initiating document signed by two-thirds of the Property Owners, one signature per property, of a residential neighborhood or commercial district stating the intent to form a Neighborhood Conservation District.

PROPERTY OWNER – One owner of a dwelling unit as listed on the Town's property tax rolls.

STRUCTURE- A functional construction or object other than a building, including but not limited to street furniture, walls, fences, walks, driveways, bridges, and curbing.

3 DESIGNATION OF DISTRICTS

- (a) To be considered for designation as an NCD, a neighborhood or commercial district must satisfy the following criteria:
 - (i) The area constitutes a distinctive neighborhood or commercial district that reflects a distinctive character, with buildings and lots located within a contiguous area consisting of a minimum of 10 lots; and either
 - (ii) The area contains buildings, structures or landscapes which are significant to the architectural, aesthetic, cultural, political, economic or social history of Wellesley; or
 - (iii) The area has generally cohesive features such as the scale, size, type of construction, materials or style of its buildings, land use patterns, siting or landscaping.
- (b) The designation of a NCD shall be initiated by neighborhood residents, the Wellesley Historical Commission, the Planning Board, or the Board of Selectmen. A Petition shall be submitted to the Historical Commission containing signatures of at least two thirds of the Property Owners, one signature per property, in the proposed NCD Area (the "Area"), which petition shall include a preliminary:
 - (i) General statement of the historical, architectural or other qualities of the Area that make it appropriate for designation,
 - (ii) Map of the Area, and
 - (iii) General outline of the Design Guidelines and Neighborhood Conservation District Commission authority proposed for the Area.
- (c) Following receipt of a petition for NCD designation, the Historical Commission shall file the petition with the Town Clerk and appoint a Study Committee to investigate and report on the appropriateness of such a designation for the Area. The Study Committee shall consist of five members, one of whom shall be a designee of the Planning Board; one shall be a designee of the Historical Commission, and three shall be residents of the Area. When reasonably possible, an architect, landscape architect, or historic preservationist should be included as part of the Study Committee. Notice of the appointment of the Study Committee shall be provided to all property owners in the Area and all property owners abutting the Area within 300 feet, at the address for such owners as listed in the real estate tax list of the Board of Assessors.

- (d) The Study Committee, working with residents of the Area, shall prepare and file with the Town Clerk a written Report, to include the following:
 - (i) An overview of the significant historical, architectural or other relevant qualities of the Area,
 - (ii) A map of the boundaries of the proposed NCD, and
 - (ii) Design Guidelines for the proposed NCD.
- (e) Each NCD, as adopted by Town Meeting, shall be listed hereunder in Article 46A with the date of acceptance and shall have its own Design Guidelines which are applicable only to that NCD. The Design Guidelines shall, to the extent appropriate for the conservation of the particular qualities of the Area,
 - (i) Establish Design Guidelines for the NCD, which shall be based to the extent appropriate on the Preliminary Design Guidelines proposed in the petition, and
 - (ii) Establish the scope of review authority under this Bylaw for activities within the NCD, including categories and types of changes exempt from or subject to review.
- (f) A public hearing shall be jointly conducted by the Historical Commission and the Planning Board to discuss the findings within 60 days after filing of the completed Report. Public notice shall be given by publication in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than 14 days before the day of the hearing; and by posting such notice in a conspicuous place in the Town Hall for a period of not less than 14 days before the day of such hearing; and by mailing said notice, together with copies of the Report, to all property owners in the Area and property owners abutting the Area within 300 feet, at the address for such owners as listed in the real estate tax list of the Board of Assessors.
- (g) Following the close of the public hearing, the Historical Commission and the Planning Board may, by majority vote in a joint meeting, recommend the Area for designation as an NCD. Notwithstanding the above, if one-third of the Property Owners, one signature per property, in the Area object in writing to the proposed designation, then the proposed designation shall be deemed rejected. If the NCD is favorably recommended by the Historical Commission and the Planning Board, and not rejected by the Property Owners, the designation of the NCD shall be brought to Town Meeting for approval by majority vote.
- (h) The establishment of an NCD shall not be construed to prevent the construction or alteration of a structure in the NCD under a building permit, zoning permit or other municipal approval (Permit) duly issued prior to the date of the establishment of the

NCD by the Town Meeting; provided, however that following the submission of a petition by a neighborhood and until the establishment or rejection of the NCD, other Town Boards shall give due and appropriate weight to the pendency of such petition with respect to any proposed Alterations within the Area which come before such Boards during such period.

- (i) Amendments to the geographic boundaries and/or Design Guidelines of a designated NCD must be approved by majority vote of Town Meeting.

4. NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION

- (a) Following the designation of an NCD, a Neighborhood Conservation District Commission ("NCD Commission") shall be appointed under Article 46A and shall consist of five members and at least two alternates. One member and one alternate shall be designees of the Historical Commission and one member shall be a designee of the Planning Board. Three members and one alternate shall be residents of the NCD to be appointed by the Historical Commission. When reasonably possible, the NCD Commission shall include at least one architect, architectural preservationist, or landscape architect.
- (b) Members and alternates of the NCD Commission designated by the Historical Commission and the Planning Board shall serve for a two-year term. Members who are residents of the NCD shall initially be appointed to staggered terms, and to terms of three years thereafter. Each member or alternate shall continue to serve in office after the expiration of his or her term until a successor is duly appointed.

5. REVIEW OF ALTERATIONS

- (a) The Design Guidelines for each NCD shall establish separately the extent of review of Alterations required within that NCD.
- (b) Except as otherwise provided in this Bylaw or the Design Guidelines of a NCD, no building or structure, or its setting, within a Neighborhood Conservation District shall be Constructed, Demolished or Altered in any way to affect the Exterior Architectural Features unless the NCD Commission shall first have issued a Certificate of Compatibility.
- (c) Exemptions from Review
 - (i) None of the following categories or types of Alterations shall require review by the NCD Commission:
 - (1) Temporary structures
 - (2) Interior alterations

- (3) Storm windows, doors, and screens
 - (4) Colors
 - (5) Accessory structures of less than 120 square feet of floor area and less than 15 feet in height
 - (6) Exterior Alterations and Exterior Architectural Features not visible from a public way or other areas open to public access (from a public street, public way, public park or public body of water).
 - (7) The ordinary maintenance, repair or replacement in kind of Exterior Architectural Features; such changes made to meet requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition; or the reconstruction, substantially similar in exterior design to the prior structure.
- (ii) In addition, the Design Guidelines for an NCD may provide for other categories or types of Alterations within such NCD which shall not require review by the NCD Commission.
 - iii) Although not a condition of obtaining a building permit, any owner may request, and the NCD Commission shall issue, a Certificate of Non-Applicability for any Alterations that are exempt from the review of the NCD Commission pursuant to the foregoing.
- (d) Review.
- (i) All Alterations that are not exempt from review shall be subject to review by the NCD Commission.
 - (ii) Any person wishing to perform Alterations which require review shall first file an application with the NCD Commission for a Certificate of Compatibility in such form as the NCD Commission may reasonably determine, together with such plans, elevations, specifications, description of materials and other information as may be reasonably deemed necessary by the NCD Commission to enable it to make a determination on the application.
 - (iii) Following the submittal of an above application deemed complete by the NCD Commission, the NCD Commission shall hold a public hearing within 45 days. Public notice of the time, place and purposes of the hearing shall be given at least 14 days before the hearing date by publication in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than 14 days before the day of the hearing, and by mailing said notice to all owners of properties in the NCD and properties abutting the property subject to the hearing, at the address for such owners as listed in the real estate tax list of the Board of Assessors.

- (iv) Following the close of the public hearing, the NCD Commission shall determine whether the proposed Alteration is appropriate for the NCD and compatible with the Design Guidelines. If the NCD Commission decides that the proposed Alterations are compatible, it shall issue a Certificate of Compatibility. If the NCD Commission decides that the Alteration is not compatible, the NCD Commission shall provide the applicant with a written statement of the reasons for its disapproval.
- (v) If the NCD Commission fails to make a determination within 60 days after the close of the public hearing, or such further time as the applicant may allow in writing, the Certificate of Compatibility applied for shall be certified by the Town Clerk and deemed granted.
- (vi) The NCD Commission shall file with the Town Clerk, Building Inspector, Zoning Board of Appeals, Planning Board, and Historical Commission a copy of all Certificates of Compatibility and determinations of disapproval.
- (vii) The Design Guidelines for the NCD may provide that certain categories or types of Alterations shall be subject to advisory, non-binding review by the NCD Commission, or an owner may request such non-binding review of otherwise exempt Alterations, in which event the foregoing procedures applicable to a review hereunder shall be followed, but without the NCD Commission voting or rendering a binding decision thereon.

6. DECISION CRITERIA

- (a) In passing upon matters before it, the NCD Commission may consider, among other things:
 - (i) The historical and architectural value and significance of the particular buildings, structures and settings being affected, as well as the effects of same on the NCD.
 - (ii) Suitability of the general design, arrangement, composition, scale, massing relative to nearby structures, texture and material of the features involved in the Alterations, as well as the effects of same on the NCD.
 - (iii) Siting and landscape characteristics, including their relationship to the street, topography and existing vegetation, including mature trees, of the particular site involved in the Alterations, as well as the effects of same on the NCD.
 - (iv) For demolitions, the structure proposed to replace the existing structure.
 - (v) All such other standards, factors and matters contained in the Design Guidelines for the NCD.
- (b) In making its determination, the NCD Commission shall, among other things:
 - (i) Allow for appropriate architectural diversity and individualized Alterations while respecting the characteristics of the neighborhood.

- (ii) Encourage the compatible updating, expansion and renovation of structures in the neighborhood, consistent with the foregoing.

7. JUDICIAL REVIEW, ENFORCEMENT, LAPSE

- (a) The Building Inspector shall be charged with the interpretation and enforcement of this Bylaw. Anyone found in violation may be fined not more than \$300 dollars for each day such violation continues, each day constituting a separate offense
- (b) Any person aggrieved by a determination of the Neighborhood Conservation District Commission may within 20 days after the filing of the notice of such determination with the Town Clerk, file a written request with the NCD Commission for a review by a joint meeting with at least three members each of the Historical Commission and Planning Board. The findings of the joint committee, which may sustain or overrule the prior decision of the NCD Commission, shall be filed with the Town Clerk within 45 days after the close of the public hearing, and shall be binding on the applicant and the joint committee, unless a further appeal is sought in the Superior Court.
- (c) Certificates of Compatibility shall expire 18 months (plus such time as is required to pursue or await the determination of a judicial review as provided above) from their date of issuance if construction has not begun by such date. Notwithstanding the above, the NCD Commission may grant a single six-month extension if it determines that bona fide construction delays have occurred for reasons beyond the control of the applicant.

8. EXISTING BYLAWS NOT REPEALED

- (a) Nothing contained in this bylaw shall be construed as repealing or modifying any existing bylaw or regulation of the Town, but it shall be in addition thereto; and if this bylaw imposes greater restrictions upon the construction or use of buildings or structures than other bylaws or provisions of law, such greater restrictions shall prevail.

or take any other action relative thereto.

(Historical Commission)

CITIZEN PETITIONS

ARTICLE 59. To see if the Town will vote to require, on a monthly basis, an accurate monthly expense status of the line items in all town budgets, including month to date and year to date figures to track rate of expenditures, together with any encumbrances for which the town is obligated to pay in the future. The Wellesley School Committee shall cause to be prepared on a monthly basis an accurate monthly expense

status report of the expenditures items in the school budget, except as may be otherwise required by law, including month to date and year to date figures to track rate of expenditures, together with any encumbrances for which the town is obligated to pay in the future and shall provide a copy thereof to the Director of Finance of the town. Copies shall be made available to the public at the Town Clerk's office and the public library; to amend the Town Bylaws regarding the same; or take any other action relative thereto.

(Citizen Petition)

ARTICLE 60. To see if the Town will vote to require the Director of Finance to present to the Board of Selectmen, on a monthly basis, an accurate monthly income and expense status report including all of the expenditures in all town revolving and enterprise accounts, in a month to date, and year to date format to track rate of expenditures. The Wellesley School Committee shall cause to be prepared, on a monthly basis, an accurate monthly income and expense status report including all of the expenditures in all school revolving and enterprise accounts, in a month to date and year to date format to track rate of expenditures, except as may otherwise be required by law, with a copy to the Town's Director of Finance, copies shall be made available to the public at the Town Clerk's office and the public library; to amend the Town Bylaws regarding the same; or take any other action relative thereto.

(Citizen Petition)

ARTICLE 61. To see if the Town will vote to amend the Town Bylaws, Article 8. Town Meeting, Section 8.2, Date for Annual Town Election., to set the date of the Annual Town Election to the first Tuesday in May; or take any other action relative thereto.

(Citizen Petition)

ARTICLE 62. To see if the Town of Wellesley will adopt the following resolution to help stop the genocide in the Darfur region of Sudan:

Be it Resolved, that Wellesley Town Meeting urges the President and Congress of the United States to take immediate action to apply pressure to the government of Sudan to end the genocide in the Darfur region and, further, to take action which will lead to bringing the perpetrators before the International Criminal Court.

that Wellesley Town Meeting urges the President and Congress to press for immediate deployment of the already-authorized UN peacekeeping force; and for strengthening the understaffed and under-equipped African Union force already in Darfur until the UN peacekeeping force is deployed; and for increasing humanitarian aid and ensuring access for delivery;

that Wellesley Town Meeting urges the Massachusetts Legislature to enact a Bill (like Senate Bill 2659) which would divest the Commonwealth's investment funds from targeted companies doing business with the government of Sudan in such a way as to support or passively enable the Darfur genocide;

that copies of this resolution be distributed to the President, members of the Massachusetts Congressional delegation, other members of Congress in positions of leadership of the House and Senate committees with jurisdiction over foreign policy and commerce, the Governor of Massachusetts and members of Wellesley's delegation to the state legislature, and other leaders of the state legislature as deemed appropriate; and that this resolution be posted on the official Town of Wellesley website.

(Citizen Petition)

GENERAL

ARTICLE 63. To see what action the Town will take on the authorized and unissued loans including those identified in the list of same on file in the offices of the Board of Selectmen and Town Clerk; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 64. To see if the Town will vote, as authorized by Section 9 of Chapter 258 of the General Laws, to indemnify Town Board members, officers, officials and employees from personal financial loss and expenses, including legal fees and costs, if any, in an amount not to exceed one million dollars, arising out of any claim, action, award, compromise, settlement or judgment by reason of an intentional tort, or by reason of any act or omission which constitutes a violation of the civil rights of any person under any federal or state law, if such employee or official is acting within the scope of his official duties or employment; and to raise and appropriate or otherwise provide money victullar; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 65. To see what sum of money the Town will raise and appropriate, or otherwise provide, for expenses incurred by Town departments prior to July 1, 2006; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 66. To see what sum of money the Town will authorize the Board of Selectmen to pay in settlement of claims, actions and proceedings against the Town; to

raise and appropriate or otherwise provide monies therefor; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 67. To see what action the Town will take to authorize the disposal of tangible Town property having a value in excess of \$10,000; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 68. To see if the Town will authorize the Board of Selectmen to appoint one or more of their number as fire engineer; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 69. To see how the Town will vote to raise money appropriated under any of the above articles; or take any other action relative thereto.

(Board of Selectmen)